

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

DEVON A. BLANCHARD,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-10-828-M
)	
JOHN WHISTLE, OKLAHOMA)	
COUNTY SHERIFF, et al.,)	
)	
Defendant.)	

ORDER

On January 25, 2011, United States Magistrate Judge Robert E. Bacharach issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983, alleging violations of plaintiff's constitutional rights. In two separate motions, Defendants John Whetsel, ¹ Kyle Moore, Larry Hill, Chris Henershott, Michael Gurley and Bryan Locke seek dismissal. The Magistrate Judge recommended that defendants' motions to dismiss be granted in favor of defendants. The parties were advised of their right to object to the Report and Recommendation by February 11, 2011. No objection has been filed.


Having carefully reviewed this matter de novo, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on January 25, 2011;
- (2) GRANTS Defendants' - Kyle Moore, Larry Hill, Chris Hendershott, Michael Gurley, and Bryan Locke - Motion to Dismiss All Claims [docket no. 32] and Defendant John Whistle Motion to Dismiss All Claims in his Official and Individual Capacity [docket no. 33]; and

¹Mr. Whetsel is identified as "John Whistle" in the Complaint. Sheriff Whetsel notes in his motion to dismiss that the correct spelling of his name is "John Whetsel".

- (3) ORDERS that judgment issue forthwith in favor of defendants and against plaintiff on each of plaintiff's federal law claims.

IT IS SO ORDERED this 2nd day of March, 2011.


VICKI MILES-LaGRANGE
CHIEF UNITED STATES DISTRICT JUDGE